IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO.2595 OF 2007
IN
FIRST APPEAL NO.2652 OF 2007

Municipal Corporation of
Greater Bombay ...Applicant
vs.
Mohammed Khalid Khan ...Respondent

Mr.J.J.Xavier for B.M.C.
Ms Prachi Tatke h/f Mr.R.A.Thorat for the Respondent

CORAM: A.S.OKA, J.
DATE : FEBRUARY 20, 2008

P.C.:

1. Heard Advocates for the parties. The prayer for stay cannot be granted. Considering the nature of the impugned decree, Application is disposed of by passing the following order :

i) Till the disposal of the Appeal, the Respondent is restrained from creating third party interests in respect of the suit structure and from parting with possession of the suit structure.

ii) The Respondent is also restrained from carrying out any additions or alterations to the suit structure without prior permission of this court.

iii) There will be no order as to costs.

JUDGE